

NOTES ON THE UNCRPD 9 - Article 24 Education, Article 25 Health

Article 24 Education

There are five sections to the article on Education.

Section 1 declares the right of people with disability to an education, through an education system directed to

- a) the full development of human potential, dignity and self-worth
- b) the development by people with disability of their talents, personality, creativity and their physical and mental abilities
- c) “enabling people with disabilities to participate effectively in a free society.”

Section 2 calls on signatories to ensure that

- a) people with disabilities are not excluded from the general education system because of their disability, nor from free and compulsory primary or secondary education.
- b) “Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live.”
- c) Reasonable accommodation of the individual’s requirements is provided;
- d) People receive the support they require within the general education system
- e) Supports are provided that maximise academic and social development, but are consistent with social inclusion.

Section 3 deals with the promotion of alternative modes of communication to facilitate learning – eg Braille, peer support, sign language etc. – to maximise academic and social development. It makes special mention of the “promotion of the linguistic identity of the deaf community”.

Section 4 deals with measures to employ teachers with appropriate skills, both in alternative modes of communication appropriate to the various types of disability, and in disability awareness.

Section 5 – as is:

“States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.”

Article 25 Health – quoted verbatim

“States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. In particular, States Parties shall:

(a) Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;

(b) Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;

(c) Provide these health services as close as possible to people’s own communities, including in rural areas;

(d) Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;

(e) Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner;

(f) Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.”

Note number 10 will deal with articles 26 and 27